JUN 0 4 2003

FCC - MAILROOM

May 28, 2003

Ms. Marlene Dortch Office of the Secretary Federal Communications Commission 445 Twelfth Street, S.W. 12<sup>th</sup> Street Lobby - TW - A325 Washington, D.C. 20554

> Re: Petition for Rule Making Bokchito, Oklahoma

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of a Petition for Rule Making to add Channel 241A at Bokchito, Oklahoma.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

(214) 520-7077 Tele

(214) 443-9308 Fax

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(0.3-13)

# Before the Federal Communications Commission Washington, D.C. 20554

| In the Matter of        | ) | JUN 0 4 2003  |
|-------------------------|---|---------------|
|                         | ) |               |
| Amendment of 73.202 (b) | ) | MB Docket No. |
| Table of Allotments     | ) | - <del></del> |
| FM Broadcast Stations   | ) |               |
| (Bokchito, OK           | ) |               |

To: John Karousos, Assistant Chief Audio Division of the Media Bureau

#### PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 241A at Bokchito, Oklahoma.

#### DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 241A to Bokchito, Oklahoma as that community's first local FM service. Bokchito is an incorporated community with a population of 600 people. Bokchito has its own mayor, Wilbure Burns, its own schools, volunteer fire department, police department, post office and a number of local churches. Bokchito is a community that is certainly deserving of local FM service. The proposed channel 241A will provide additional diversity and an outlet for local self-expression to Bokchito residents and therefore is in the public interest.

The order for Channel 241A to be allotted at Bokchito, Oklahoma, the vacant allotment for Channel 241A at Clayton, Oklahoma will need to be replaced with Channel 263A and station KXXY Channel 241C at Oklahoma City, Oklahoma must be reclassified to a CO. (See, Attachment A, Request to Reclassify statement) Additionally, in order for 263A to be allocated to Clayton, Oklahoma, station KATT Channel

263C at Oklahoma City, Oklahoma must be reclassified to a CO. (See, Attachment B, Request to Reclassify statement)

The proposed changes are as follows:

|                     | Present   | Proposed |
|---------------------|-----------|----------|
| Bokchito, OK        |           | 241A     |
| Clayton, OK         | 241A      | 263A     |
| Oklahoma City, OK F | XXXY 241C | 241C0    |
| Oklahoma City, OK R | KATT 263C | 263C0    |

Attached hereto is a channel study confirming that Channel 241A can be allocated to Bokchito, Oklahoma, consistent with the FCC's FM separation rules provided the necessary changes are made at Clayton and Oklahoma City. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment C)

Reference coordinates for Channel 241A at Bokchito, Oklahoma are:

33 59 01 N 96 08 07 W

In order for Channel 241A to be allocated to Bokchito, the vacant allotment for Channel 241A at Clayton, Oklahoma must be replaced with Channel 263A. Attached hereto is a channel study confirming that Channel 263A can be allocated to Clayton, Oklahoma, consistent with the FCC's FM separation rules provided station KATT, Channel 263C is reclassified to a CO. (See, Attachment D)

Reference coordinates for Channel 263A at Clayton, Oklahoma are:

34 32 48 N 95 29 46 W

Should this petition be granted and Channel 241A be aliotted to Bokchito, Oklahoma, Petitioner will apply for Channel 241A at Bokchito and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

Charles Grawford 4553 Bordeaux Ave. Dallas, Texas 75205 (214) 520-7077

(214) 443-9308

Tele Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17th Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copies to Mr. Bechtel as well as Charles Crawford.

May 28, 2003

# Attachment A

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

Petition for Rule Making FM Channel 241A Bokchito, Oklahoma May 27, 2003

#### Attachment A

Request to Reclassify
Station KXXY(FM), Oklahoma City, Oklahoma
Pursuant to MM Docket 98-93

Radio Station KXXY(FM), Oklahoma City, Oklahoma is licensed to Clear Channel Broadcasting Licenses, Inc., 2625 South Memorial Drive, Suite A, Tulsa, Oklahoma 74129, (Facility ID 58389), FCC File No. BLH 20000105AAO. The facility operates with a power of 100 kilowatts with center of radiation 372 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KXXY(FM) be modified to specify operation on FM Channel 241C0 instead of on FM Channel 241C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 241A Bokchito, Oklahoma, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KXXY(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Bokchito, Oklahoma as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Clear Channel Broadcasting Licenses, Inc. as is required in the above Docket.

Charles Crawford

# Attachment B

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

Petition for Rule Making FM Channel 241 A Bokchito, Oklahoma May 27, 2003

#### Attachment B

Request to Reclassify
Station KATT(FM), Oklahoma City, Oklahoma
Pursuant to MM Docket 98-93

Radio Station KATT(FM), Oklahoma City, Oklahoma is licensed to Citadel Broadcasting Company, City Center West, 7201 W. Lake Mead Blvd., Suite 400, Las Vegas, Nevada 89128, (Facility ID 8797), FCC File No. BLH 19841105DA. The facility operates with a power of 100 kilowatts with center of radiation 363 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KATT(FM) be modified to specify operation on FM Channel 263C0 instead of on FM Channel 263C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 241A Bokchito, Oklahoma, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KATT(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Bokchito, Oklahoma as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Citadel Broadcasting Company as is required in the above Docket.

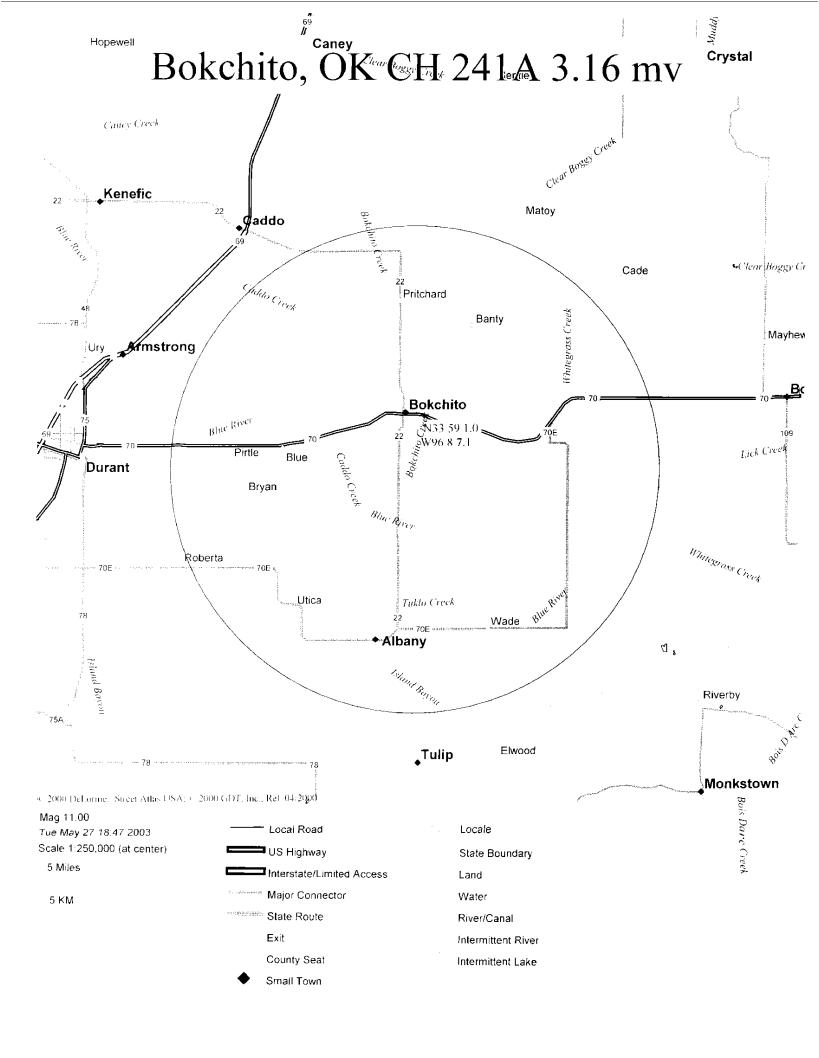
Charles Crawford

### Attachment C

FM PROSP (TM) LOCATE STUDY CH 241 A 96.1 MHz Study of KOEL Test,

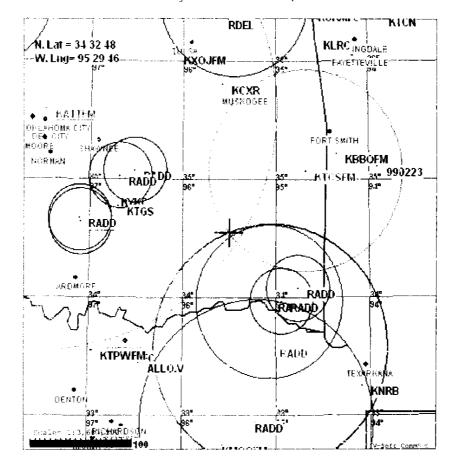
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| Call   | СН#   | Тур | e<br> | Location        |    | D-KM   | Azi   | FCC   | Margin |
|--------|-------|-----|-------|-----------------|----|--------|-------|-------|--------|
| RADD   | 241A  | ADD |       | Clayton         | OK | 88.18  | 53.0  | 115.0 | -26.82 |
| KXXYFM | 241C* | LIC | Ν     | Oklahoma City   | OK | 217.77 | 325.8 | 226.0 | -8.23  |
| ALLO.V | 243A  | VAC |       | Soper           | OK | 34.59  | 80.9  | 31.0  | 3.59   |
| KITX   | 238C2 | LIC |       | Hugo            | OK | 62.15  | 96.8  | 55.0  | 7.15   |
| KSCS   | 242C  | LIC |       | Fort Worth      | TX | 173.13 | 206.7 | 165.0 | 8.13   |
| RADD   | 239C1 | ADD |       | Healdton        | OK | 96.01  | 282.2 | 75.0  | 21.01  |
| RADD   | 239C1 | ADD |       | Healdton        | OK | 96.01  | 282.2 | 75.0  | 21.01  |
| KKAJFM | 239C1 | LIC |       | Ardmore         | OK | 97.47  | 277.8 | 75.0  | 22.47  |
| ALLO.R | 239C1 | RSV |       | Ardmore         | OK | 97.48  | 277.9 | 75.0  | 22.48  |
| RDEL   | 239C1 | DEL |       | Ardmore         | OK | 97.48  | 277.9 | 75.0  | 22.48  |
| KSCH   | 240A  | LIC |       | Sulphur Springs | TX | 104.64 | 151.8 | 72.0  | 32.64  |
| KMEO   | 244C  | LIC |       | Flower Mound    | TX | 139.03 | 244.4 | 95.0  | 44.03  |
| KMEO.C | 244C  | СP  |       | Flower Mound    | TX | 139.03 | 244.4 | 95.0  | 44.03  |
| KKTXFC | 241C2 | СP  | И     | Kilgore         | TX | 210.84 | 147.8 | 166.0 | 44.84  |
| KKTXFM | 241C2 | LIC | N     | Kilgore         | TX | 210.84 | 147.8 | 166.0 | 44.84  |
| KKTXFC | 241C2 | CP  | N     | Kilgore         | TX | 210.99 | 147.9 | 166.0 | 44.99  |
| KBELFM | 244C3 | LIC |       | Idabel          | OK | 122.18 | 95.0  | 42.0  | 80.18  |
| KRVAFM | 295A  | LIC |       | Mckinney        | TX | 90.70  | 208.3 | 10.0  | 80.70  |
| KTTG   | 242C1 | LIC |       | Mena            | AR | 216.40 | 68.1  | 133.0 | 83.40  |
| KYNZ   | 294A  | LIC |       | Lone Grove      | OK | 106.30 | 285.6 | 10.0  | 96.30  |
| RADD   | 294A  | ADD |       | Clarksville     | TX | 108.56 | 112.2 | 10.0  | 98.56  |
| KKBD   | 240C2 | LIC |       | Sallisaw        | OK | 206.07 | 39.4  | 106.0 | 100.07 |
| KPWW   | 240C3 | LIC | Ν     | Hooks           | ΤX | 190.14 | 107.4 | 89.0  | 101.14 |
| KFWR   | 240C1 | LIC | N     | Mineral Wells   | TX | 238.91 | 232.6 | 133.0 | 105.91 |
| KKDL.C | 294C  | СР  | N     | Muenster        | TX | 139.03 | 244.4 | 29.0  | 110.03 |

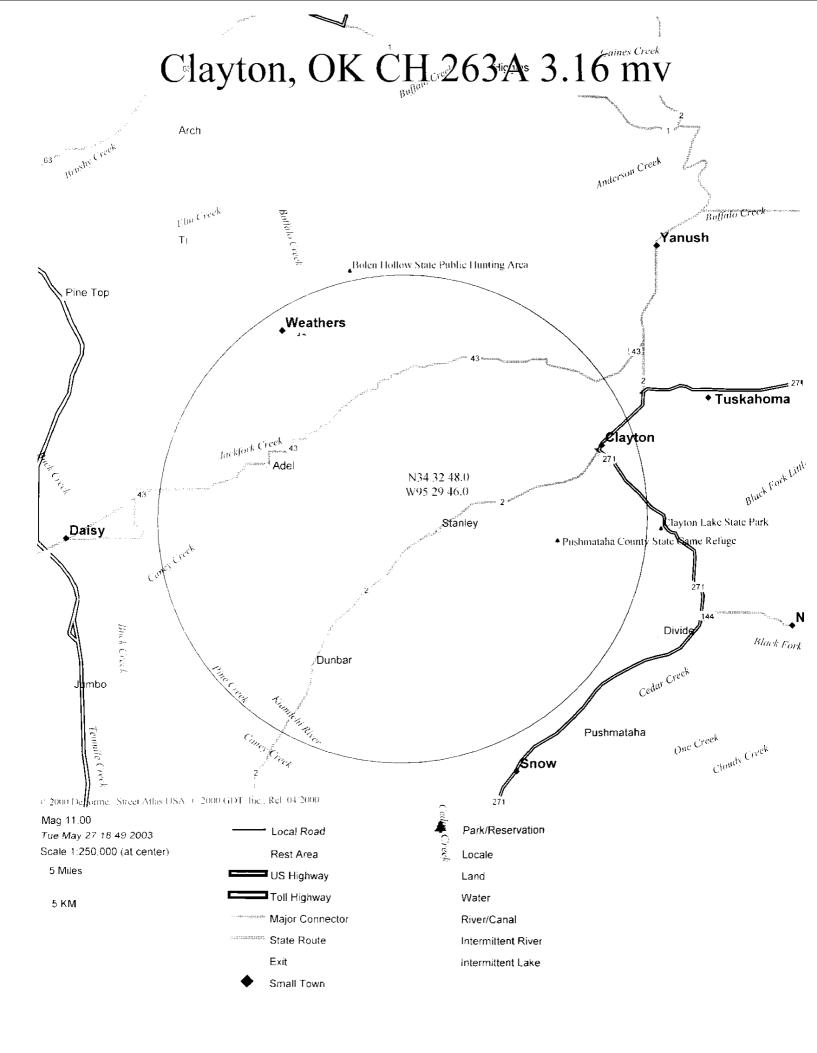


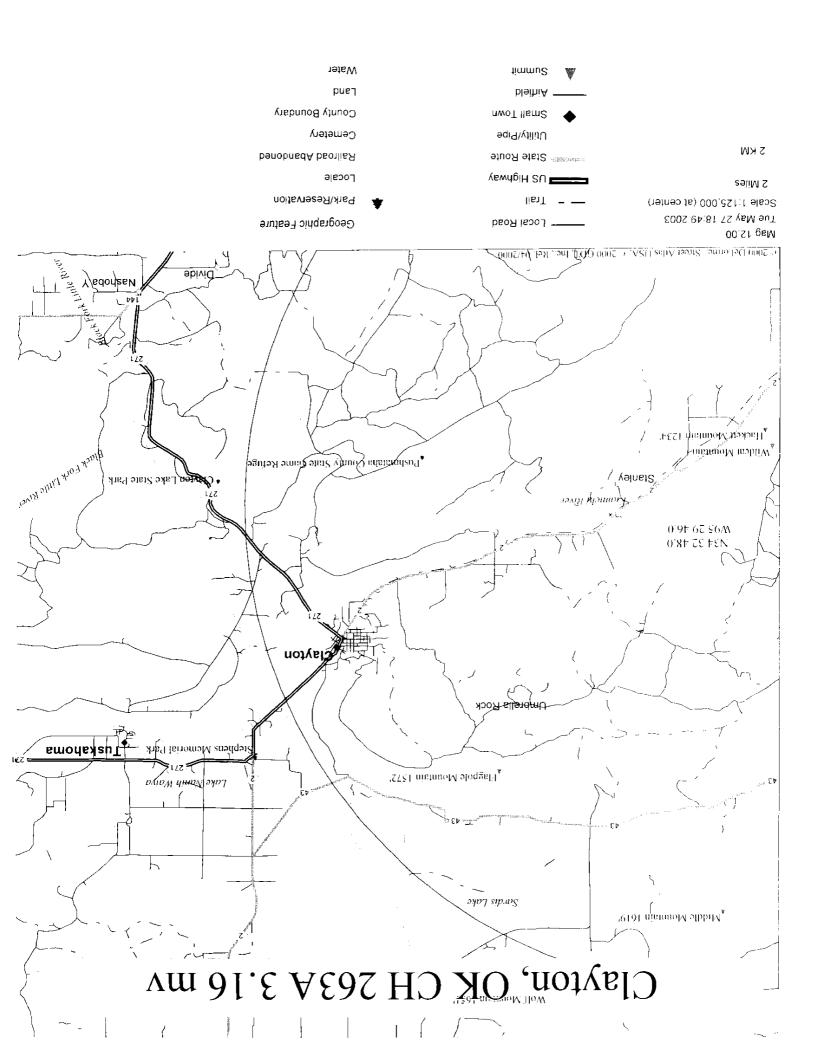
# Attachment D

# FM PROSP<sup>(TM)</sup>LOCATE STUDY CH 263 A 100.5 MHz Study of KOEL Test,



| Call   | CH#   | Туре  | Location         |    | D-KW   | Azi   | FCC   | Margin |
|--------|-------|-------|------------------|----|--------|-------|-------|--------|
| KATTFM | 263C* | LIC   | Oklahoma City    | OK | 215.10 | 303.2 | 226.0 | -10.90 |
| RADD   | 263A  | ADD   | Annona -         | ΤX | 114.54 | 159.1 | 115.0 | -0.46  |
| KTCSFM | 260C  | LIC   | Fort Smith       | AR | 94.71  | 51.6  | 95.0  | -0.29  |
| KWRDFC | 264C  | CP N  | Highland Village | TX | 166.69 | 228.0 | 165.0 | 1.69   |
| RADD   | 262A  | ADD   | Millerton        | OK | 75.51  | 148.8 | 72.0  | 3.51   |
| KWRDFM | 264C  | LIC N | Highland Village | TX | 173.85 | 231.3 | 165.0 | 8.85   |
| KBBQFM | 264C2 | LIC   | Fort Smith       | AR | 129.68 | 54.0  | 106.0 | 23.68  |
| RADD   | 265A  | ADD   | Millerton        | OK | 81.94  | 141.4 | 31.0  | 50.94  |
| RADD   | 265A  | ADD   | Broken Bow       | OK | 85.06  | 127.6 | 31.0  | 54.06  |
| RADD   | 265A  | ADD   | Broken Bow       | OK | 85.06  | 127.6 | 31.0  | 54.06  |
| RADD   | 263A  | ADD   | Winnsboro        | TX | 179.71 | 171.4 | 115.0 | 64.71  |
| KYKC   | 261C2 | LIC   | Byng             | OK | 121.07 | 286.7 | 55.0  | 66.07  |
| KCXR   | 262A  | LIC   | Taft             | OK | 140.51 | 357.3 | 72.0  | 68.51  |
| KZHE   | 263C2 | LIC   | Stamps           | AR | 237.22 | 119.5 | 166.0 | 71.22  |
| RADD   | 265A  | ADD   | Holdenville      | OK | 110.62 | 302.8 | 31.0  | 79.62  |
| RADD   | 265A  | ADD   | Konawa           | OK | 120.71 | 297.1 | 31.0  | 89.71  |
| KRBV.C | 262C  | CP    | Dallas           | TX | 256.70 | 212.3 | 165.0 | 91.70  |
| KRBV.C | 262C  | CP    | Dallas           | TX | 256.70 | 212.3 | 165.0 | 91.70  |
| KRBV   | 262C* | LIC   | Dallas           | TX | 256.70 | 212.3 | 165.0 | 91.70  |
| KTGS   | 210A  | LIC   | Ada              | OK | 112.83 | 283.4 | 10.0  | 102.83 |
| RADD   | 266A  | ADD   | Wynnewood        | OK | 146.94 | 274.5 | 31.0  | 115.94 |
| RADD   | 266A  | ADD   | Pauls Valley     | OK | 147.93 | 276.0 | 31.0  | 116.93 |
| ALLO.V | 260A  | VAC   | Van Alstyne      | TX | 150.32 | 216.3 | 31.0  | 119.32 |
| RDEL   | 264A  | DEL   | Claremore        | OK | 202.36 | 359.9 | 72.0  | 130.36 |
| 990223 | 209C1 | CP    | Booneville       | AR | 158.57 | 66.3  | 22.0  | 136.57 |
| KNRB   | 261C2 |       | Atlanta          | TX | 193.63 | 137.5 | 55.0  | 138.63 |
| KDJE   |       |       | Jacksonville     | AR | 276.70 | 83.3  | 133.0 | 143.70 |
| KTFR   | 264A  | LIC   | Chelsea          | OK | 217.15 | 1.3   | 72.0  | 145.15 |
|        |       |       |                  |    |        |       |       |        |





#### CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 28<sup>th</sup> day of May, 2003, I caused copies of the foregoing "Petition for Rule Making for Bokchito, Oklahoma" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 Twolfth Street, S.W.
12<sup>th</sup> Street Lobby-TW-A325
Washington, D.C. 20554

Gene Bechtel, Esq.
Law Offices of Gene Bechtel, P.C.
1050 17<sup>th</sup> Street, N.W., Suite 600
Washington, D.C. 20036-5517
(Counsel for Petitioner)

Clear Channel Broadcasting Licenses, Inc. Station KXXY 2625 South Memorial Drive Suite A Tulsa, Oklahoma 74129

Citadel Broadcasting Company Station KATT City Center West 7201 W. Lake Mead Blvd. Suite 400 Las Vegas, Nevada 89128

Charles Crawford